



**BLOOMINGTON CITY COUNCIL MEETING
AND PROPOSED SUBDIVISION ORDINANCE AND VACATING OF CITY LAND
PUBLIC HEARINGS MINUTES
BLOOMINGTON CITY OFFICE
45 N 1st West
OCTOBER 15, 2024 at 7:00 p.m.**

City Council Attendees: Roy Bunderson, Cindy Piggott, Rob Allred, Marilyn Wilkes, and Trish Carlin. Mike Knapp, Dan Porter, and Debbie Thomas were absent.

BADC Attendees: Jane Simpson, Wayne Lloyd, and Jerry Thornock

Community Attendees: Alden and Charlene Talbot, Julia Rowland, Gay Hyde, Ruth Baker, Paul Sousa,

Mayor Roy Bunderson welcomed all in attendance and began the meeting at 7:00 pm

INVOCATION: Jane

PLEDGE OF ALLEGIANCE: Rob

PUBLIC HEARING ON THE CITY VACATING LAND ON 1ST SOUTH CEMETERY RD

Mayor Bunderson opened the public hearing.

Roy explained that the city plans to vacate a piece of property on Cemetery Road. On various maps, a section of 1st North is shown as extending into Alden Talbot's property. While plats exist for this area, there are no corresponding legal descriptions of the land. Additionally, the road plat does not indicate a road extending through the TJ Nelson LLC property located just below Alden's land. Instead, only the isolated section into Alden's property is depicted.

Roy welcomed those attending to share testimony for and against abandoning either all or a portion of the currently non-opened 1st South.

Testimony from those who are in favor of vacating that property.

Alden Talbot: Earlier this summer, while looking into obtaining a survey, this piece of property raised questions. There is no visible indication on my property of where this road is located. The land in question is less than half an acre. I am in favor of the city vacating this property, so I can manage and use my land as I choose. Jane noted that this piece of land did not appear as a platted road before 2002 when it began showing up on city maps.

Those opposed to this vacation were given a chance to share testimony. No one shared such testimony.

The question was asked what it took to abandon this property. Roy explained after a public hearing the city can take action. A notification must be published, then at that time the road can be abandoned.

Gay Hyde and her siblings (TJ Nelson property) felt like it might be beneficial for them to have the platted road abandoned on their property also. However, they were unsure of this answer and asked what would be the positives or negatives of having this property abandoned. Roy asked Jane to answer this question:

Negatives:

1. There would no longer be a platted right-of-way. If someone wanted to develop the property, the cost of opening a road would be significantly higher due to the updated Subdivision Ordinance.
2. If the property becomes yours, you would be responsible for paying property taxes on it.
3. There would also be costs associated with having the road abandoned. Since the road through your property is currently platted, a survey would need to be conducted. Furthermore, as the city clearly owns the property, it is considered a city asset and would need to be purchased from the city. However, someone else could bid against you and potentially win the property.

Positives:

1. Having this road abandoned to you would provide a developer with greater flexibility in determining the placement of a new road.

Wayne Lloyd asked what would be the size of the land potentially abandoned to the Nelsons. It was determined it would fall between one and two acres. This property would be of no use to anyone else, as it is not a buildable lot. At 99 feet wide, it falls short of the required 100-foot width.

Roy advised the Nelsons to look at things in more detail. Perhaps, it would be of value to meet with others adjoining this property and come up with a decision as to what they'd like to do with the understanding the city wouldn't vacate any portion unless they vacated all of it. He wanted to clarify that their situation and Mr. Talbot's are entirely different. Mr. Talbot's disputed road leads to nowhere, whereas their road could serve a functional purpose.

The mayor closed the hearing on vacating land and moved into the Public Hearing on Proposed Subdivision Ordinance.

PUBLIC HEARING ON PROPOSED SUBDIVISION ORDINANCE

The mayor then opened the public hearing on the proposed Subdivision Ordinance.

Mayor Bunderson reminded the public that this summer, the city implemented a one-time grandfathering policy for non-conforming lots. These lots, which previously did not meet the requirements of the Building Lot and Standards Ordinance and were ineligible for building permits, were granted the status of conforming lots, allowing them to qualify for building permits. Following this policy, non-conforming lots no longer exist within the boundaries of the City of Bloomington. The mayor emphasized that any future creation of non-conforming lots, such as through the sale and division of property, will not be granted exceptions. Under the proposed Subdivision Ordinance, any new property divisions must comply fully with city regulations to qualify for a building permit.

This ordinance spells out fully how subdivisions will be created in the city. It addresses how water, sewer, and roadways will be handled. This ordinance was created to maintain a quality of life here in Bloomington.

Jane, from the city Building and Development Committee, was asked by the mayor to explain the situation further. She explained the city already had a Subdivision Ordinance in place from 2009, unfortunately this ordinance was not completely finished, nor was it enforced. Bloomington is receiving requests to annex property that sits outside of the city limits. The city wanted to make sure the life we enjoy in our little city would be maintained with the changes that are coming.

Questions were then fielded from the public:

- Paul Sousa: What are the current requirements for a conforming lot? 100 ft of frontage and no smaller than one-half acre.
- Paul Sousa: It was mentioned there were requests for annexation. Are these individuals looking to put subdivisions or individual home? Both.
- Paul Sousa: Would zoning change if a property from the county was annexed into the city, and in the county, are the lot sizes the same as the city's as they usually tend to be bigger in the county? Only contiguous properties to the city will be annexed. They will be part of the city's infrastructure, because of this the city is not in a position to spread out too far. At this point, there is no reason to require larger building lots as the city expands. This doesn't mean bigger lot sizes can't be required as the city expands.
- Paul Sousa: Does the city have the infrastructure available to those who may annex in the future? The city has had several water studies. Based on standard usage, they indicate the city's water supply could handle four times what it does now. However, the city would need to put in additional storage and a larger distribution line from the tanks to the city. At this time, the city does not have the infrastructure to handle this. We have the potential, but not currently. In this Subdivision Ordinance, the city addresses who will pay for the infrastructure to handle future requests. This cost should not be born by the residents of the city. It should be born by the property owner or developer who will realize the benefit for this expansion of infrastructure – water, sewer, and roads.
- Paul Sousa: In this ordinance there isn't language for road standards, will standards be required. Yes, this ordinance refers the reader back to the specific ordinance that deals with road standards, etc.

Testimony for, against, or neutral on the Proposed Subdivision Ordinance was then taken.

- Paul Sousa: I think this ordinance allows for growth, but also protects those already here. In the future, if something needs another look, the ordinance could be amended.

Councilmember Piggott: Our community is changing from a farming and ranching community to a resort area. People aren't coming here to live; they are coming to have their cabin in the country and rent it out when they aren't here. Roy: Part of

what's bringing them here is the farming and ranching mentality. We want to preserve that. Cindy: Trying to stifle growth is not practical, but protecting what we have is.

The mayor then summarized what he heard tonight. He heard no opposition tonight as this is a piece of property that:

- Extends too nowhere
- We can't define what exists
- Is a piece of property that's changed as we've come down the annals of time.
- It has no specific purpose to the City of Bloomington, resident, or taxpayer.
- No resident or taxpayer in the city would receive any negative impact if the property is abandoned.

Mayor Bunderson then closed the Subdivision Ordinance hearing.

- Motion to deal with the city attorney to determine the most effective way to waive the city interest in the property and to vacate it and transfer it to Mr. Talbot: Cindy, Second: Rob. To ensure there was a council in attendance, Roy stepped down as mayor and voted as a councilman in the affirmative. He then stepped up as mayor and recognized that three affirmative votes were cast. Vote Unanimous, The Motion Passes.

Roy assured the Talbot's the city would be in communication with him.

BUILDING AND DEVELOPMENT COMMITTEE - Jane

No building permits in the last 30 days. One is pending but has not been approved.

GRANT ON SEWER FEASIBILITY STUDY – Jane has spoken with our city engineer concerning a grant for a sewer feasibility study. This may be a possibility in the near future from DEQ and a matching grant from USDA.

WATER

5TH NORTH WATER EXPANSION PROJECT – Rob: The engineer project is not complete; nof has it been submitted to DEQ. It is expected to be finished and turned in tomorrow. The permit to bore under the highway has been obtained. Mike Ward has been hired to complete this work. The Schillings have been contacted for a bid on part of the project. There may be water grants that may be applied for in January. This may be a good time to install waterlines on 50 E between 200 N thru 400 N.

Wayne Lloyd – Does the city want to pursue the shorter approach into the water tanks up by the new parking lot? The county will be there tomorrow. Wayne will discuss this with them and also with the Turners. The \$2,500 will be released to the city from the snowmobile club for their grant on the parking lot.

ROADS – Roy: The roadway up 100 N has been surveyed and hubs put in. We now know where the city's south roadway is. We also know where the south line of Mr. Beckett's property is. The city gained approximately 40-feet of property on the south. Roy has spoken with Mr. Beckett about extending the cul-de-sac to the 80-feet agreed on. Roy also let him know he will be responsible for the barricade for protection around the cul-de-sac as this was his project not the city's. Roy has not been able to speak with Blake Hart as of yet.

SEWER – Mike was absent, the mayor did indicate that he is on track for the sewer study.

FACILITIES – The mayor asked Jane to work with Cindy and arrange the sale of the surplus property behind the hall.

TREE: Cindy has spoken with Mr. Topham (a wood carver) to see if the downed tree is too rotted to carve into something unique for our hall. The lights have also been installed around the hall. Cindy s hoping to receive an Arbor Day Society grant for new trees in the spring.

TREASURER – Marilyn

Roy: Marilyn will be leaving us at the end of the year. The city has been so fortunate to have her. Roy asked her to create a job description for her job indicating the job position will be opened until it was filled.

PAYMENT OF EXPENSES – Marilyn

The mayor asked if we have ever settled with Glenn's Electric. Mike asked her to pay it but not the late fee. She has paid them.

- Motion to accept expenses as presented: Rob, Second: Cindy. To ensure there was a council in attendance, Roy stepped down as mayor and voted as a councilman in the affirmative. He then stepped up as mayor and recognized that three affirmative votes were cast. Vote Unanimous. The Motion Passes.

DELINQUENT ACCOUNTS – Marilyn

Mike will be asked to discuss with a resident his overdue payments.

CLERK – Debbie was absent

MAYOR – He was asked about a new snow plow and how much could the city spend - \$20,000. Everyone will keep looking.

COMMUNITY COMMENTS – None

ADJOURNMENT

- Motion to adjourn: Cindy, Second, Rob. To ensure there was a council in attendance, Roy stepped down as mayor and voted as a councilman in the affirmative. He then stepped up as mayor and recognized that three affirmative votes were cast. Vote Unanimous. The Motion Passes.

Vote Unanimous, Motion Passes. Meeting adjourned at: 8:55 pm.

NEXT REGULARLY SCHEDULED MEETING NOVEMBER 19, 2024